# THE BROOKLYN TRIAL

One Hundred and Third Day of the Great Scandal Suit.

VINDICATING THE PLAINTIFF.

Mr. Beach Addresses the Jury in Behalf of His Client.

THE IMMORALITY OF TILTON.

"But That Does Not Justify Beecher in Debauching His Wife."

A STRONG, EARNEST ARGUMENT.

To say the court room in Brooklyn, where for over a hundred days several reputations have been on trial, was crowded yesterday morning would give an incomplete lack of the immense throng which by some inexpitcable means contrived to get within the limits of the chamber. At a fair calculation at least 1,300 people were stowed away inside the walls of a room whose seating capacity is just 700. They stood in a close mass down one side and up the other. The reporters' places were invaded, and Caldwell, the Plymouth usher, brought several of the fraternity over and planted them in the seats assigned to one of the morning journals of New York. The number of ladles was small and wholly different from the class who have been in the habit of attending. Hardly a familiar female face was present. Evidently the fair sympathizers with Mr. Beacher had no desire to hear the eloquence of Mr. Beach; consequently there were no fashionable hats, buried in bright flowers, to be seen.

MRS. BEECHER, all alone during the latter part of the day, sat out the full four hours, pale as her whitened bair, sad and silent, showing no emotion, but steadily gazing at the face of the full-blooded, flerce, unrelenting, entspoken man who was addressing the jury with all the strength of his luncs, the faculties of brain and the intensest convictions of his soul to convict her husband of adultery. There was pity for her in many eyes, and when a burst of applause, promptly checked, however, rewarded one sublime effort of the speaker, where he drew a picture of Henry Vard Beecher entering the pure and loving circle of Tilton's household and debauching its mistress, the eelings of Mrs. Beecher may be better imagined than described,

APPLAUSE FOR PLAINTIFF'S LAWYERS. When, Beach and Fullerton entered the court from the audience, clearly of a different complexion from that which has been present on other days, burst out into applause. Frank Moulton was uncommonly cheerful. Tilton wore a quiet air of sel -satisfaction. Judge Morris was positively gleeful and Fullerton showed an undisguised confidence in the result being a victory for the plain-

THE AUDIENCE CAUTIONED. Before the proceedings opened Judge Neilson cautioned the audience against any demonstration whatever. He told the gods in the gallery that if they did not observe a proper degree of respect for the Court the gallery would be cleared.

BEACH MADE AN IMPRESSION from the start. He stood up promptly at the hour for opening the proceedings. His fron gray bair fell, unkempt, down on his coat collar. His face wore its usual sanguine complexion. Beside him, looking up admiringly in his face, sat his friend Fullerton, wearing a white tie, white vest and an appearance of restored health and strength. Tilton quietly reclined in his coair, his eyes tastened upon a bald spot at the summit of Mr. Beach's head.

POINTS FOR PLAINTIFF. Mr. Beach began by referring to the fact that at last Theodore Tilton had a chance of windscating his character in a court of justice against a strong combination that sought to ruin it. He next spoke to the jury as to the reponsibilities they are under, and called attention to the remark of the counsel for the defendant that he knew what the verdict of the jury would be, insinuating that corrupt influences might be set to desendant; but he knew the jury were aware of their obligations to God and man and would honestly discharge them. He was no orator like his friend Evarts; he had no epithets to apply, but he would give them logical facts. He passed on to the storm of invective hurled at the head of his client for fifteen days and then took up Judge Porter for an excertation that may have been warranted, but was certainly unexpected. A enlogy of Taton's character followed, and a mock enlogy of Reecher succeeded. Mr. Beach expressed regret for the duty he had to perform, and the audience lelt that, despite all the nice things the counsel uttered about the defendant, a time would

soon come when the STORM OF INVECTIVE would be visited on Beecher's devoted head to which Porter's denunciation of Tilson would be as child's play. Turning from the jury and addressing the Court, the counsel laid down the proposition that the desendant was entitled to the presumption of innocence. He argued that the law in this case did not justify the application of the presumption. But even so, satisfactory evidence had been given of the claim made by the plaintiff. It was the duty of the jury to give a verdict according to the preponderance of evidence. Mr. Beach read from several important authorities to support his position, and then turned to the jury, his voice entirely changed, having dropped to the conversational tone of a chamber lawyer. Titon's relations with his wife were referred to, and a lew extracts of letters that passed between them were read to show the manner in waich Tilton had been misrepresented. past thirteen days of the

UNFOUNDED CALUMNIES given to the jury by learned and eminent counsel against the plaintiff, and how the shield of impartiality which the law guarantees in a court of justice to a party in a case had been rudely dis-

regarded. in resuming his address after recess Beach took up Porter's argument that Tilton influenced the press of the country, while all the churches, with one or two exceptions, were on the side of Beecher. With much force of expression counsel compated Porter's position, showing the fallacy of Tilton's having influence on the press of the nation and the error of the statement that the caurches were all well disposed to Beecher. For some time Beach addressed himself entirely to knocking down the nine-pins set up by Porter.

GREAT SILENCE prevailed when Heach, rolling forth his sentences with a power of sonorousness seldom heard before in a court of justice, cried out, "If you declare Beecher innocent you can never restore him that which he has lost. He can never again stand up in his puipit the same grand historic character he was before. If you declare him guilty and vindicate Tilton you can never repair the damage he has done; you can never build up the home he has ruined; you can never bring to the hearth he desolated the love and sanctity that have fled from there lorever."

BRACH'S VOICE was singularly clear and effective. His words were well and aptly chosen. He dealt in strong, vigorous Saxon, and his ideas were on a level of simplicity and lucidness with the vocabulary he made use of. Perhaps the finest and most effective part of the discourse was just prior to recess, when Beach, in half a dozen enumerations of Tilton's alleged offences, cried out siter each, "But does that justify Henry Ward Beecher in entering the home of Tilton and debauching his wife ?"

Beach reached the letter of contrition before

the Bacon letter, where Tilton is called a cowardly dog, barring at the heels of Mr. Beecher. To those who give credence to the construction the Tilton side places upon this remarkable letter Beach's interpretation of the document should be conclusive.

Among those on the bench were Judge Fernald, of Santa Barbara, Cal.: M. C. Smith, of New York; E. C. Matne: Rev. D. E. C. Wines, United States Commissioner to the International Congress at Rome, Italy; H. B. Stapley, District Attorney, Worcester, Mass., and E. H. Halleck. Among the andience were Commissioner Stephen A. Ammer-mann, of Brooklyn; Montgomery Schuyler, manager of the World, and other well known people.

MR. BEACH'S ADDRESS. At ten minutes past eleven Mr. Beach rose to

At ien minutes past eleven Mr. Beach rose to address the jury.

May IT PLEASE YOUR HONOR, GENTLEMEN OF THE JURY—At last, geatlemea, Theodore Tilton has an opportunity for vindication in a court of law. It is the first opportunity. Environed with difficulties and beaten upon by a tempest of calumny and reproach unparalleled in severity and effect; pursued by the power of a man whom the genius of Samuel Wilkeson has discovered to be "the greatest man on our earth," hided by the organized persecution of a great church, Theodore illion was hounded to his rup. The only judgment ever passed upon his case, the only hearing given to it, was before a tribunal selected from Pymount church by this defendant, with great care, with great persecution of the relations of those judges, and before them the cause of Theodore Tilton was tried and he was condemned, and it was imagined that that condemnation would be the permanent acquittal of Henry Ward Beecher. It was supposed that a private triounal thas constituted of the friends of the accused—it was supposed that that judgment would be decisive and permanent; but every one saw that Theodore Tilton was deprived of a nearing before that investigating committee, his evidence shut out, the estimony of important witnesses evides, those known to have a most material and intimate acquantance with the merits of that controversy unsummone, a nasty and a snap judgment pronounced in a case of this character and between men like Henry Ward Beecher and Theodore Tilton. It is not wonderful that public judgment pronounced in a case of this character and between men like Henry Ward Beecher and Theodore Tilton, the horry Ward Beecher and Theodore Tilton, the not wonderful that public judgment pronounced in a case of this character and between men like henry Ward Beecher and Theodore Tilton, the not wonderful that public judgment was unsatisfied. It was not surprising that the public clamor demanded a taorough and complete investigation of this most unfortunate transaction, and the result has and clamor which for a year has invested this case is to intrude itself with success upon the delibera tions of a court and jury.

MR. AND MRS. BRECHER ENTER. Mr. Beecher, flusned and nervous, enters, followed by Mrs. Beecher and Mrs. Harriet Beecher Stowe. He makes his way through the throng to his seat with some little difficulty, and several seats were vacated to accommodate the party. His hair is quite dispevelled and his leatures have a weary, careworn expression.

His hair is quite disnevelled and his leatures have a weary, careworn expression.

THE QUESTION

is, whether here, in this, which is called the temple of justice, in the presence of that pure spirit of right and equity which is supposed to prevail in this presence—the question is, whether here the organized gower of Plymouth church, nided by the ingenuity and eloquence of counsel, is to overcome the sense of fair play and equity which is the spirit of our administration of the law. If this cause is to be won, gentlemen, by bold assertion and clamorous power and by confident and insulting predictions, I yleid the paim to my learned adversaries. If the judgment of this jury is to be controlled by a stream of invective and vituperation, by a repetition of scandalous and dishonoring epithets, repeated until they have palmed the ear and surfeited the taste, I have neither hope nor care to influence your deliberations. I suppose that I speak to men properly estimating the prerogatives and responsibilities of their position. Believe me, gentlemen, this power of judgment is a great and responsible one. To-day you hold in your control, as my friends upon the other side say, the destinies of the greatest preacher in all the world. To-day you hold in your hands the destiny and the reputation of this plaintif, and more than that—you hold in your hands the power of vindicating the witnesses produced upon this witness stand, or consigning them to unperishable dishonor and lofamy. It is a great power. Whence do you derive it? Not by the natural right of judgment. What enables you to say to Theodore Tilton, to Francis Moulton, to Mrs. Moulton, "You are perjucres?" To the two first, "You are adulterers and infamous, you have no place in a cour; of justice? Although no man in this broad community, yet, by our verdict, you shall be sconted from this court room branded with our judgment of Infamy." A fearful responsibility attaches to such a power. The law has selected you as tweive inteligent, honest and lawful men to decide grea

EVARTS ADDRESSED. Beach turned toward Evarts, who looked in tensely solemn, and seemed as if he were about to pop up and "object," as he did so many times during the taking of the testimony.

You have been appealed to personally, Mr. Fore man by my friend, Mr. Porter. He has assumed to know the sentiments of this jury box; he has assumed to say that he knows what the verdict of this jury will be, and I know he has large facilities sumed to say that he knows what the verdict of this jury will be, and I know he has large facilities for obtaining that information—facilities that are denied to this plantiff. I know the influences which have surrounded this trial. I have seen these ominous and noisome shapes hovering about the outskirts of this investigation: I know the jower and the influence of the organizations which have surrounded this defendant during this trial. My friend, Mr. Evarts, wisned for the hundred eyes of Argus. He has them, and more too, and the hundred arms of Briareus—ne has them and has had them and more too; and there was no need or his wishing for the gold of Midas—he has had that, too, discursed with great liberality, with uncounded generosity, and always placed where it will have the cest effect. But it seems to me a most astonishing assumption of prophetic power on the part of my learned friends that in a court of justice, ceemed to be impartial and true, a distinguished counsel, before the plantiff is heard, shall assume to say. "Gentlemen, I know what your verdict will be." Sir (andressing the foreman) you occupied that stand and you andounced that you had formed opinions favorable to the defendant in this case, but you said, and in the presence of that God whom you worship and revere, that you could, nevertheless, decide this case impartially and upon the evidence. Are you to prejudge it? Is there any counsel in this case who can appeal to you personally and say he knows what the verdict of this jury will be? Aye, that it "will be it? Is there any counsed in this case who can appeal to you personally and say be know what the verdict of this jury will be? Aye, that it will be an acquittal of Mr. Beecher without leaving your cents." By what authority does that gentleman speat? If I am addressing gentlemen of that character, gentlemen whose indgment will be carried by epithet, calumny and abuse, unsupported by evidence; if the eloquence and ocatory of counsel call mive the conclusion of this jury, I have no hope of success before you, gentlemen.

The attention of the live is secured. From

The attention of the jury is secured. From Chester Carpenter to the last man all are hanging on the ringing words of Beach, who has now the ear of the whole audience. The Beecher people listen with an effort to seem indifferent. Mrs. Stowe leans forward and her bright even are fastened on the speaker. "I AM NO ORATOR AS BRUTUS IS."

Instened on the speaker.

"I AM NO OHATOR AS BRUTUS IS,"

I am not an orator as Evarts is; I have no calumnles to utter; I have no epitnets to apply; I have a plain, simple, logical argument to present to you upon the truth in this case. If there be not evidence enough; If there be not truth and lacts enough under the ordinary administration of the rules of evidence, abiding by those lessons of wisdom and or truth come to us from the past; If there be not enough to satisfy the minds and consciences of twelve impartial mee, I want no unruthful judgment sgainst Henry Ward Beecher. I ask for no perversion of the law, I ask for ho surrender of the consciences of the pure and intelligent judgment of this jury; but if I bring to them these truths approved of the law, Institute the history of the law,—those evidences which the law pronounces as sufficient to convict even of guilt, in the presence of the charitable presumptions of the law, then in the name of that law and its justice I demand a verdict. And, gentlemen, I have a right to demand. I have a right to ask, before Tilton shall be dispeled to the misconstrued, before the concession of Mrs. Multon shall be deferred to, before the letters of Henry Ward Beecher shall be misconstrued, before the concession of Mrs. Hutton shall be disregarded (accepted and approved as it was by the defendant in this case), before all the prominent and convincing elements to this truth shall be disregarded (accepted and approved as it was by the defendant in this case), before all the prominent and convincing elements to this truth shall be disregarded (accepted and approved as it was by the defendant in this case, have been contradicted by no single witness except Henry Ward Beecher; Most of the time and this case, have been contradicted by no single witness except Henry Ward Beecher Most of the principle of immuterial and unimportant collateral questions. It is said that we have occupied the time, when you must recollect that all this iong investigation of a nundred days has been

adjournment, read it and then called attention to | his glasses once or twice. When Beach exclaimed, "I have seen my friend Porter make an exhibition of the highest histrionic ability, shaking his fist in the face of my client and crying, 'Down! down down to hell and say I sent thee thither!" " the hit was received with a loud laugh by the audience, Beach did not stop there, but went on to refer to the ignoble part Porter played in the drama.

COMPLIMENTS TO PORFER.

I have been accustomed to seeing him in the front rank of professional controversy, claiming and maintaining the loftiest honors of the profession, and I am pained and grieved that upon this occasion he has lost that place, and appears here as a subordinate, a secondary adversary. In that there is no humiliation, gentlemen. No lawer of our profession, eminent even as Mr. P. trever of our profession, eminent even as Mr. P. trev that there is no humiliation, gendemen. No lawyer of our profession, eminent even as Mr. Perter
is, would be disgraced by following the leadership
of a gentleman as eminent as Mr. Evarts. It is
not that. But the humilialion consists in the ignoble and unworthy service; he has undertaken to
abuse and denounce and caminate, and, by ferce
and inribus epitnets, to drive this plaintiff from
the respect of this jury and from the consideration
of this Court. Mr. Thion is said to be theatric,
"bollow and theatric," I think was the term. Singuiarly enough, that accessation comes from my
iriend, Mr. Porter, who has given the most distinguisside evidences of the possession of the highest
histrionic ability. Why, you remember, gentlemen,
with what display of theatrical power, with what
voience of gesture, with what intemperance of with what display of the atrical power, with what volence of gesture, with what intemperance of speece Mr. Titton was assailed. It began to be somewhat alarming, for when my friend Mr. Porter was fourishing his fast so furiously in the face of Mr. Titton and in his sonorous and impressive tones crying out, "Down! down! down to hell and say I sent thee thither!" i felt some anxiety for the saiety of my chent—(laughter)—and I looked around with some amazement to see what had become of him. (Laughter.) It was gratifying to me to find him there, sitting composed and unalarmed, rather amused at the grotesqueness ing to me to find him there, sitting composed and unalarmed, rather amused at the grotesqueness of the performance and wondering really what my friend Porter thought of himself. Well, sir, are you to determine the case upon such arguments? Is a party in a court of justice, appealing to the impartiality and equity of the law, asking from his fellow men a legal construction of his claims, of his rights, to be hunted from court by epithets and denunciations? What sort of a case is it which demands this advocacy? And how happens it that a gentleman capable of the lottlest legal efforts, a gentleman claiming more than a due share—and deservedly too—of professions fronow, instead of a temperate, logical argument upon the evidence, spending five days in a violent assault upon the opposite party and his witnesses?

ment upon the evidence, spending five days in a violent assault upon the opposite party and his witnesses?

If I am not mistakeu I will show you that in all the emergencies and vicissitudes of this strange case Theodore Titton has never departed from his manhood, from the sincerity of his forgiveness as toward his wile and Mr. Beecher; that he had adhered to his honor and his plianted word under every circumstances, until goaded and driven by wrongs which could not be endured, to the presentation of his case to this Court and this jury. And why is that mun to be slandered as he has been sandered? Why are all the terms of the vilest vingarity and abuse in this court of justice keaped upon Theodore Tilton? What has he done? Fabricated a charge, organized a conspiracy, himself sunk in the lowest depths of deprivaty, hoping to raise himself to position and character by the destruction of Mr. Beecher, subsidizing the honesty of his friends, corrupting the integrity of womanhood, suborning perjury, marsaaling a host of perjurers late this court of justice with devilish skill and unprincipled purpose—this is Theodore Tilton according to my learned friends. Will you recall the letters that have been read to you of Mr. Beecher? Will you remember his exclamation:—"I wonder if Elizabeth knows now generous Theodore has been?" "Is it possible that we three could be again reunited? Theodore will have the worst to bear—the hardest part to bear;" and through all these letters, until with the latuity of guilt Mr. Beecher reached the position whereby his church was driven into active hostility—through all the letters and declarations of Henry Ward Beecher, he bore truthiul and nonorabe testim-ny to the manhood and sincerity of Theodore Tilton. And Moulton—where in the whole range of Hendship, celebrated as it has been by the noblest philosophers and poets, can you find anything equal to the tributes which denry Ward Beecher has paid to send the ributes which denry Ward Beecher has paid to moulton? I shall ask your attention by a the iributes which Henry Ward Beecher has paid to Moutton? I shall ask your attention by and by particularly to this; but in passing I shall ask you to consider these testimonials originating from Henry Ward Beecher in favor of the men and of the women whom his coupsel have so bitterly and loudly denounced. Ah, gentiemen, there is the difficulty in this case, it is just the difficulty which originated in the first place—the charge of blackmail.

which originated in the bres place—the charge of blackmail.

1 agree that Henry Ward Beecher is a great man—great in intellect and great in mady noble and distinguished qualities. I shall not attempt at all to reduce the estimate formed of him by his counsel, by this jury and by the world, except that where my learned friends elevate him to that degree of perfection that he is purely good and siniess. I beg exception to the statement, and I shall attempt to show you in the course of the argument I have the honor to present to you there are some exceptions to be taken to the character of Mr. Beecher.

Brecher looked pleased for a moment. Beach

Brecher looked pleased for a moment. Beach was apparently taking directly the opposite course from Porter and Evarts, and using honey where they used gall. It was "Mr. Beecher," and the Plymouth church people gave a kindly glance at the lawyer for this most unexpected courtesy. Mr. Beecher grew more confident, and his face was calmer than when he entered the court room, with forebodings of being flaved alive.

with forebodings of being flayed alive.

Why Tilton Published his wire's Letters.

A very severe philippic was uttered by Mr. Porter, and in substance repeated, but not with the same violence of language, by Mr. Evarts, upon Mr. Titton for the publication of his wife's letters. Well, I don't know, genilemen, tont you and I would be willing to apply such severe terms of repregension to a husband who has found occasion to publish his own and his wife's letters under concede that without real and meritorious cau an act of that character would be indelicate. would be repulsive to the feelings of the husbar an act of that character would be indelicate. It would be repulsive to the feelings of the nosband, the sense of every man of honor, to publish a letter written to him, either in the confidence of marital intercourse or in that confidence which sometimes attacues to communications as between business gentlemen; but I think we can concede the emergencies which would make the propriety of the publication very obvious—circumstances which neither of the parties to the correspondence would feel ary repugnance, but, yielding to the necessities of the occasion, each would approve the act. What were the circumstances ander which these publication of Mr. Filton se was allowed to speak or the circumstances and of the manner which led to this publication, and says, "During the early consultations! hand with my friend, Judge Morris, I put into als hands the papers. He read them and said, 'These letters ought to be published, or at least liberal extracts from them.' I said 'No; they are private letters, and I think there is an impropriety in publishing them.' He said, on the contrary, the case was of such seriousness and gravity and had been so greatly misrepresented that he thought they should be published. He then say gested that good taste, perhaps, would be for their bublication, not never in Brookiyh, in either of the local papers, but at some distant point; and at that time a visit was made to my nouse by an agent of the chicago Tribune, Junge Morris made his acquaintance, and give to this gentlemen little extracts from these letters, and in that way they were published.'' Now, they were published at a time when Mr. Itton was pursued by misrepicesentation and lished." Now, they were published at a time when Mr. Litton was pursued by misrepresentation and laise public accusation. He was represented as a brute in his contextic telations. He was charged with the grossest outrages upon his wife and family. The most vulgar and debasing crimes were imputed to him; they were circulated in all the papers of the land. The only weapon of delence he had was the testimony or his wife in her letters written under circumstances which gave to their contents entire veracity and verify.

Beach thus threw a new light upon Tilton's mo. tive in publishing his wife's letters. Porter cailed him a destard and a villain and many other such handsome names for doing so; but, as Beach said very lorcibly, when he was hounded down by Mr. Beecher's adherents in the press and eisewhere and represented as being abhorred of his wife, he gave these letters to the public to show the real relations between his wife and himself.

gare these letters to the public to show the real relations between his wife and himself.

THE PLACES OF SEDUCTION.

Mr. Porter aliaded to the complaint in this case, and to the fact that the puace or places of this adultery were very artifully and carefully selected. Well, or course, gentlemed, the plaintiff in this case knew nothing; he had no evidence of actual conservation of the offence, and a pleader drawing a complaint in a case of this kind dames any variety of places where he may suppose probably, under the evidence, the offence could have been committed. I don't know, gentlemen, wastner in the house of Mr. Hiton or where this seduction, it there he seduction, was accomplished. There is no art or contrivance upod the part of the plaintiff in this pleading or tais evidence, with a view to the location of the offence, that would be provable as to place or as to time or character which would interer with excupatory proof on the part of the defendant. Indeed places are named from an alleged communication from Mr. Becener and Mrs. Thion to Mr. Hiton, when he was led to make inquiries in regard to the time and the simple question is whether Mr. Thion or Mr. Become, strengthened as et her may be by the other evidences and the circumstances of this case, is to be credited. Mr. Porter has failed into another mistake, he stitles that Mr. Titton deny the first laterview, the arxivisit to the foom of Bessie Tarner, as a need in aer evidence. Genwhen you must recollect that all this long investigation of a numbered days has been directed, not to
the question of the guil, or innocence of Mr.
Beecher, but to an unsustained abusive attack
upon the character of lilton and Moulton and
the other witnesses on the part of the plaintiff.
Gentlemen, I cannot pass to the consideration of
this case without a single further remark upon
the adoress of my friend, Mr. Porter, It was a
most remarkable chort. For thirty years that
gentleman and myssif have practised together in
the courts. There is no gentleman, in or out of
the profession, for whom I leed a more unleigned
esteem and respect, and none in the profession
whose qualities as a lawyer I more admire and respect.

Beach's reference to Porter created a marked
sensation. Porter became addetty and took of

concurred in that conclusion, now there is not an instance in this case, gentlemen, where any adverse testimony with reference to a single witness of ours, either as to declaration or anything which is of fact. Not a single instance where there is a want of contradiction, and I make the declaration that in a careful examination of the proof in this case, relying upon the instructions that were given to us by the Judge, we don't pass through with all the evidence of Henry Ward Beecher, for instance, or Bessie Turner, or Mrs. Ovington, or any one cles, whereupon the direct examination of our witnesses had swom to facts, to declarations and circumstances which stood in direct contradiction to the wilnesses on the part of the defence.

WHAT DORS NOT JUSTIFY BEECHER. concurred in that conclusion. Now there is not an

defence.

WHAT DORS NOT JUSTIFY BEECHER.

It is not very important, gentlemen, in regard to the rudeness, the coidness; the suikiness, the moodiness; the couduct of Theodore Tilton in his household is not a matter of imperative concern before the jury. He may have been all that Bessie moodiness; the conduct of Theodore Tilton in his household is not a matter of imperative concern before the jury. He may have been all that Bessie Turner represents him to be in the restlessness of his nature; he may have wandered, as she ridiculously said, from bed to bed to find a soit place upon which to rest; he may be indireous in his habits; but nevertueless, gentlemen, before a court and jury he may assert the sanctity of that nome thus disturbed up his lobbles, if it be so. He had been harsh and cold at times in the domestic circle; he may have been stern and moody toward that delicate and sickly when it Bessie Turner is to be believed, but it gave to henry. Ward Beecher no hiecase to trespass upon that household. It may have cooled the fervor of her affections, it may have cooled the fervor of her affections, it may have shaken her reverence for her home and ner marriave tie, but it gave to Henry Ward Beecher no warrant to take advantage of those circumstances. It is no excuse for Henry Ward Beecher no warrant to take advantage of those circumstances, it is no excuse for Henry Ward Beecher no warrant to take advantage of those circumstances, it is no excuse for Henry Ward Beecher no warrant to take advantage of those circumstances, it is no excuse for Henry Ward Beecher no warrant to the truth of this accusation that that was a disturbed and discordant household. It may be true; that we will see about. It may have ocen an encoaragement to Henry Ward Beecher to assail its sucred purity, out it is no justification for the act. And so through all this revelation of collateral issues should have been forced upon this jury. Grant that Theodore Tilton was the admirer of Victoria Woodhull, as he was her enlogatin her enlography, grant that he was odious and sebased in his habits, grant that he was odious and sebased in his habits, grant that he was odious and sebased in his habits, grant that he was choose and collateral store the confession of the 'efendant? Does it wipe those stormy and passionate letters f

It being now one o'clock, the Court took the

usual recess. AFTER THE RECESS. Half the audience remained in the court room during recess and subsisted, as best they could, on apples, cruilers and peanuts. The other hair came rushing back to find, in many instances, their seats seized upon. The anxiety to hear Beach had increased since the opening, and hundreds made unavailing application for admission, for already the court was "packed," to use a familiar illustration, like a box of sardines. Several ladies, overcome by the heat, left the chamber. Mr. Beach and the Tilton lawvers. with friends in their wake, came in a little after the regular time, and without a moment's delay Beach set to work at his task of demolishing Porter. The ex-Judge sat over near the jury, gazing with a curious expression of face at Beach, his old friend of thirty years' standing. Mr. Beecher failed to return to the court in the afternoon, and the only representative of the Beecher family, except the delendant's wife, was Dr. Edward K. Beecher. Immediately after re-cess 1: has always been the custom of the Plymouth brethren to crowd around the pastor, who was always locose and communicative, and shake him by the hand or otherwise salute him. Yesterday nothing of this kind happened. Mr. Beecher sat silent and moody, spoke to no one, looked the picture of wretchedness and left the court abruptly.

picture of wretchedness and left the court abruptly.

THE TILTON DOCUMENTS.

Mr. Beach continued:—In repect to various letters and documents which Mr. Tition in the course of this long and vexed controversy heretofore has been compelled to use, he has been charged with garbling. Referring to the letter of February, which Mr. Tition had occasion to use in his sworm statement submitted to the committee of investigation, and from which he quotation and the use made of it by Mr. Tition, says, "And yet the distant to whom that letter is addressed published it in a form which was garbled, faise and lorged—in a form in which see is represented as conlessing the infamy which he now charges, and he says, by way of apology for, since I commenced this suit I have jurnished a true copy." The form in which the quotation from the letter of Mrs. Tilton is reproduced by Mr. Tilton is this, that previous to the period of the criminal intimacy, one of the reasons which Mrs. Tilton says she had for accepting such attentions from Mr. Beecher was the fact that she had been much distressed by what she had neard from him, and that she could best in that way reach the recesses distressed by what she had neard from him, and that she could best in that way reach the recessed of his moral nature, and in February, 1888, she or his moral nature, and in February, 1868, she gift is sin. Here I am strong. No demonstrations or fascination would cause me to give my womanhood." And Mr. Porter says this is garbled, jorged and fa se in its sentiments, intent and effect. But Mr. Tilton says. "I quoted it as a beautiful illustration of her own sense of the uignity of her sex and of herself as respecting it." Mr. Tilton from the commencement was modifyas a ceautiful illustration of her own sense of the signity of ner sex and of herself as respecting it." Mr. Tilton from the commencement was modifying the offence of his wife, was maintaining her integrity as a wife, was occieving, as I think, in the purity of her nature and the spotiesaness of her sin and the circumstances moder which it was committed. In this statement was represented, with what fidelity to her womandood and to her marriage vows, with what adherence to the policy sae accepted the intimacy of Mr. Beecher, telieving in his previous moral transgressions, as I will show you by and oy; and yet, oy taith in her own womannood, benef in her own drm integrity, and by the nature of the influence which she knows she exerted on Mr. Beecher. This woman, at the time to which reference is made, was maintaining all the characteristics of this policy faction. She deserves no reproach; there is misconception or misrepresentation of the letter of Mrs. Tilton, and this quotation on the part of my learned friend was ungenerous. Nay, it was cruel and unjust to assume that it

Mrs. Tilton, and this quotation on the part of my learned friend was ungencious. Nay, it was cruel and unjust to assume that it

WAS GARBLED AND FORGED,

and all for the more purpose of indulging in a violent attack against Mr. Tilton. But the most astonishing thing was the remarkable position Mr. Porter took in that florid display as gave of the friends and the influences which have gathered around Mr. Receiber in the course of this trial, and the absence of all encouragement and support in aid of Mr. Tilton. This extraordinary display was meant for something. It was very well to describe Mr. Beceiber as possessing all the Coristian virtues which have been attached to his character. It was a matter of policy to coast that those assumed qualities had collected about him at the plety and the intelligence and respectablity of the community in the hope that such a character might induce the jury in regard to Mr. Beceiber and the respective merits of this case. I am not ravorable to that mode of argument. Considerations of that character are not regittmate or processional when addressed to the intelligence of the jury. But as they have been reserted to it will be well to learn whether they are well founded. Counser on the other side found a fittle difficulty on this subject, because the leading papers that were daily presented to his observation satisfied him that in this outer intelligence among this larger jury to which he appealed, there were some who were boid enough to advocate the claim of Mr. Tilton, and to question the spoties and pure integrity to which he appealed, there were some who were boid enough to advocate the claim of Mr. Tilton, and to question the spoties and pure integrity of Mr. Beconer. All the host of the leading papers in every section of the country, who are, with a keen intelligence and logic, examining this case and this evidence, as it has been presented to this jury, and expressing concusions which did not meet the approbation of my learned. to this jury, and expressing conclusions who do not meet the approbation of my learn friend-why, they are Titonisms, intimation that they are written by Mr. Thion, Mr. Tilton co inend—way, they are Tittonisms, intimating that they are written by Mr. Titton, Mr. Titton controls they are yet they are the they are them with ready and brotherly have not seen them with ready and brotherly have seen the mount of the their bar and the cherry are they are they are they are they are them all their indicates in the other has one minent Christian pastors? I have seen the reading and parashes of henry Ward seen the particle and the their highers. The they are the count in the other has the furner but the proof that the count in the other has the are they are they are they are

ent, and to exult that there is a devoted and unanimous raily of Caristian sentiment about this fallen preacher, I am disposed to dispute the position. Quite willing would I be to submit to the judgment either of the press, the public opinion or the Christian sentiment of this nation. But these are toreign and improper topics for discussion in this court room. Each of you may well say in the language and in the spirit of the jew, "An oath, an oath; I have an oath in heaven, and shall I lay perjury to my soul!" And the moment the judgment of this jury departs from the evidence and the law, the moment it listens to those seductions of oratory and to these impure approaches, they will be treacherous to their duty and false to their oaths. I ask no influence of this cancacter. I don't ask of this jury, intelligent and responsible men, performing the most solemn and sworn duty of their lives—I don't ask them to surrender their judgment to the bidding of any man or any class, whether they be accular or Christian, whether they be newspapera or public orators—and when I am led into the discussion of these foreign typics it is not with any view or purpose of approaching their convictions by any such appeals but liey be newspapera or public orators—and when I am ied lint the discussion of these foreign typics it is not with any view or purpose of approaching their convictions by any such appeal, but to repress what I think the dangerous appeals made on the part of my learned friends. I have the means, if I thought it necessary or appropriate, to satisfy my learned friend, Mr. Porter, that he greatly erred in the professional judgment founded upon this case. But what is the opinion that has to do with this case or with this jury except the opinion which proceeds from this Bar, and so far as it is entitled to the approbation of this jury.

NO CONSUMMATION IN THIS CASE could be more gratifying to my client, as to those who sid him in the assertion of his rights upon this trial, than that his wile loved him with her early devotion and with her early purity. But Mr. Porter gives us the assurance that she does love him, and produces the singular antithesis which is expressed in this language:

It is one of the things which securs to me marvellous in the sight of man, and he can be approached.

It is one of the things which seems to me marvellous in the sight of men, and only explainable when we shall be able to look at it with the light which comes from Omniscience, that that woman (referring to Mrs. Tilton), loathing this man as she does treferring to Mrs. Tilton), to this hour leves him as I have never seen a woman love a man yet. It is the strangest anomaly I have ever witnessed in the whole course of my lite, the most idolatrous (i suppose he means 'love') and the most ablect.

have ever witnessed in the whole coirse of my life, the most shiect.

Well, that is seemingly an irreconcliable inconsistency, that Mrs. Tifton should at once love and loathe her husband; that that love and loathing should be expressed by the conduct she pas pursued and by he position which she has assumed in this controversy, and that any human being should assert to intelligent, feeling men that that woman still loves the husband of her youth and the father of her children, at the very time she confesses that she loathes him with a bitter and an utter loathing, is one of the most remarkable exhibitions I have ever witnessed. It seems to me if this lady had been left to the impulses and instincts of her better nature, if the forgiveness which covered her sin in 1870, and the love and charity which took her again to the bosom of her husband; if the policy of protection to the wile had produced its just, legitimate and affectionate influence upon her nature; if she had ever true to the policy of lorgiveness and silence which her husband followed, none of these sac consequences would have been exhibited to this jury to-day. The

produced its just, legitimate and affectionate influence upon her nature; if she has been true to the policy of lorgiveness and silence which her busband followed, hone of these sac consequences would have been exhibited to this jury to-day. The stain, the shame which has settled on the household can never be lifted. Those children, pure and innovent and attractive, must suffer suit, and I repeat, the man who in his foily or his recklessness has forced this issue and these consequences to the community and to the individuals has assumed a mighty responsibility, and yet, with an equal responsibility forced upon you, you stand in an attitude of equal prominence, of equal power and responsibility. And you cannot, gentiemen, whatever my riend Porter may say on the subject, or anybody eise, you cannot shift the responsibility.

Much stress has been laid upon the fact that Theodore Tilton with his hand on the Bible had sworn to the godless lie that he had no gray hairs, in contradiction of the testimony of Bessie Turner. He was surprised that so much importance should be given by Mr. Evarts and Mr. Porter to such a trivial fact. The truth was that Tilton had no gray nairs, out in writing to his wile he does assert that he had.

"True inwaidness." Where does Mrs. Tilton learn this phrase? She had been under the teachings of a man who used such expressions as that, and better proof could not be desired as to its authorship. It is a little remarkable that she did not use ir, but that Mr. Beecher writes not mysend me a letter of true inwardness." Well, then, what becomes of all the argument that Tilton was the suthor of this phrase, when it turns out that it was the "master of the English language," "the elecutionist," Henry ward Beecher?

Mr. Beach repelled the idea that Tilton for many years has entertained malignant feelings toward Mr. Becener. He did not mean to suy that Theodore Tilton inved Henry ward becener: Way, if it be true that Heecher, the choose and conded friend of the house, debauched the mistress of the

mim."

TILTON'S CHARACTER.

Mr. Beach then reierred to the question of the disposition of the "mission fund" and said he would show how Mr. Titton was driven to make a comparison retween nimself and Mr. Beecher on that occasion. Tals point had been made by his learned fremds to impress on the minds of the jury that Theodore Titton was an egotist, that he

learned friends to impress on the minds of the jury that Theodore flitton was an egotist, that he was full of wretched conceit, that meanness was his make-up, that he was despicable from head to foot. This character was to be given to him, and it shall not be in the testimony of faise facts, he would not say of nise logic. Mr. Beach they read from the cross-examination of Tition on the mission fund question, wherein he is asked as to whether he said he had overreacted Mr. Beecher

mission fund question, wherein he is asked as to whether he said he had overreached Mr. Beecher on that question.

Very much has been said about this so-called "True Story," as to its essential characteristics and the uses made of it here on this trial. That paper would be made the subject of discussion hereafter. Mr. Porter asserts that Mr. Thiton when first examined on that "True Story" pronounced it true, but when it was resurrected torough Mr. Redpath it was false. He could not understand such a statement, and it could not be permitted to go uncontradicted, because it that statement were true be could not argue against such a demonstration, except it were for want of memory. He then read from the testimony of Titton, wherein he telis of speaking to Dr. Storrs on the subject of the "Frac Story." Thiton says:—"I read the paper to Dr. Storrs, who said, 'Thiton, before I can consuit with you on this subject you must assure me wanether this harrative is the plain and honest truth, what is called in a court, 'The truth, the whole truth, and hotating but the trath,' and Thiton replied, "Firs but the whole truth, it a only a part of the truth; but it is all that I am withing to give the public." In other evidence Thiton explains the circumstances which arose and when led to its being written. He explains it in reference to difficulty arising from the letter of "A Complaining Friend" and of the "Tripartite Covenant." He says in his testimony that "in December he prepared another document which was not a frue story, it was a false sters, as Mr. Beecher objected to the true ene. It was written over a dozen different densits." How, theu, could they attempt to seek to impeach Theodore Tillon on such a charge? Had not Milton and John K. Porter both said what truth needed no stratagem." Then why do they resort to such stratagem." The why do they resort to such stratagem." The why do they resort to such stratagem." The why do they resort to such stratagem.

on such a charge? Had not Mitton and John K. Porter both and withat truth needed no straingem." Then why do they resort to such stratagem as this?

Mr. Porter in his relation, referring to the letter written to a hiend in the West, "had said that it was intended for the public eye." Mr. Porter charge that litton prepared this letter and isid it away for future use against the integrity and the pocket of thenry Ward Beecher. It would seem a well-directed device in pursuit of the line of policy adopted. Here Mr. Jeach read from the evidence of fillion, in relation to the "Complaining Friend" letter, in which little pressure in regard to the Woothall publication—a pressure which demanded that her, Mr. Beecher, Mr. Bowen, all should explain. "This pressure was in Brooklyn, in the church, the very air seemed to rest upon us." Mr. Beecher desired that they should cut the tripartite covenant. The "Complaining Friend" letter succeeded that. As all answer to the charge of its being laid away for fiture use, the fact was that it was published. Mr. Pitton is charged with garbling the letter of abology, and of falling to give that part which is most favorable to Mr. Beecher. This was a serious accusation, and one which would not have been made unless they, on the other side, consucred it to be of great importance. In the Bacon letter so much of the letter of apology is published, "I ask Theodore Tilton, and he had represented tim as being "a knave and a dog, who was substituing on the magnalimity of Henry Ward Beecher," The object of this letter, then, could not be mistaken; it was intended as an answer to the charge made against Tilton, it is substituing on the magnalimity of Henry Ward Beecher," The object of this letter, then, could not be mistaken; it was intended as an answer to the charge made against Tilton, and he had represented clim as being "a knave and a dog, who was substituing on the magnalimity of the letter as most aword from orginning to end of that document imputing the signt-st offence either to Mr. Beec to this imputation? I doubt, with all his intellectual power and genius, which once carried him to the pinnacie of renown, he could not have fitted his need above the pavement resting on that imputation. Without passion or epithet he gold the simple relation of admitted and known facts with regard to his dealing with the church and the West charges. The part omitted was, "the others must live and suffer. \* \* \* She is guittess—sinned against, bearing the trangressions of another." Did they want Tilton to publish that? As fair and honorable genilemen, Mr. Beach appealed to his learned riceds whether there was any unfairness in the quotation of that letter by Tilton; whether the quotation of that letter by Tilton; whether the quotation of that letter by Tilton; whether the

tion was not confined in a most generous feeling toward Mr. Beecher and without any suggestion of impurity on his part toward Mrs. Tilton. In Mr. Thiton had auded that Mr. Bescher had apologized to him and had pointed to a direct connection with Mrs. Tilton, what would the counsel on the other side have said of the maniness and affection of this husband toward this wild?

whice?

Both counsel had said that Tilton in the summer of 1874 had seat by Redpath word to Mr. Beecher that he was golog to change that relation and after his case. There is not in this narrative a single word justifying that use, tilton did not send word to Beecher by Redpath that ne was going to charge adultery. Up to that hour he had been working to shield Mrs. Tilton, it was with him not only the policy of silence, but of misrepresentation, and in pursit of this course he had represented the offence of Beecher as being that of "improper solicitations." There is not an instance was not adultery, but it is true that all through Mr. Tilton had declared his wife was pure and the offence of Mr. Beecher was "improper advances." The Bacon letter, they say, was a hostile act. Mr. Beecher hig more. There is nothing, then, to justify the ire of Mr. Beecher. There is nothing to justify the defendant in precipitating this confroversy upon the plaintiff and the public, with all its dreadful consequences.

In concluding Mr. Beach referred to the testimony of Mrs. Moniton, which his learned friends had clained showed that she had understood in August last that the was to be a witness in a crim. Con. suit to be brought by Theodore Tilton against Mr. Beecher. He said there was nothing in the first idea she had of there being a trial was when, in August last. Tilton said, being dissaijsfied with Frank Moulton's short statement, that he would be fairly dealt with."

DEPARTMENT OF DOCKS Both counsel had said that Tilton in the summer

#### DEPARTMENT OF DOCKS.

RESIGNATION OF GENERAL CHARLES K. GRAHAM, ENGINEER-IN-CHIEF-VANDERBILT'S TERMINAL PACITATIES.

A meeting of the Dock Commission was held yesterday. Chauncey M. Depew, counsel for the New York Central and Hudson River Railroad Company, made a verbal request for the assignment to the railroad company of the bulkhead has along the pier at the foot of Fifty-ninth street and half of the pier at the foot of Sixtieth street for the reception of the company's freightage. Mr. Depew wanted the franchise given tree, and, addressing President Wales, said :- "The lack of terminal facilities sends to Boston sixty per cent of the grain shipped over this road, and you, gentlemen, make a mistake in not encouraging just such work as we are engaged in. Boston, Palladelphia and Baltimore encourage transportation companies, and thus get the trade. Either of these cities would give us the franchise tree."

Mr. Wales stated that the Board would give to Commodore Vanderbilt the bulkheads desired at a rental of \$500 per year, and he had no doubt this offer would be satisfactory to the Central Railroad Company. Mr. Depew seemed to be satisfact and lett, and the Board had an informad discussion on the subject, but did not take flual action. President Wales informed the representatives of the press that General Charles K. Graham, Engineer-in Chief of the Dock Department, had sen in his resignation, but that no immediate action would be taken upon it.

A communication was received from a sub-committee of Tammany Hall, asking why the reduction had been made in the wages of unskilled inborers. President Wales submitted the draft of a reply, which was adopted. The President declined to give the letter for publication until it had been transmitted to the committee. The Board then went into executive session. such work as we are engaged in. Boston, Paila-

#### INDIGNANT STREET CLEANERS.

A meeting of the ash and dirt caremen employed by the Police Department was neld yester-day afternoon at Hibernia Hall, No. 28 Prince street, Mr. James B. Hackett in the chair. The object of the meeting was to appoint a committee to wait on the Bureau of Street Cleaning and request a return to the old rate of payment. Previous to August, 1874, the men employed in cartvious to August, 1874, the men employed in carting the soil from the streets were paid \$4 a day. In the latter part of August the rate was reduced fifty cents, and now a further reduction of twenty-five cents has been ordered. Allowing six working days for each week, the men at the new rate will be enabled to earn a gross sum of \$78 a month. From this sum \$24 must be adducted for the board of the horse and \$3 for shoeing, which leaves the man \$61, or \$12.75 a week. Many men who are taus employed by the Street Cleaning Bureau have large families to support, and they claim that by the further reduction of their wages they will be unable to do it.

## A BOON TO THE SCHOOLBOYS.

At yesterday's meeting of the Park Commission a resolution was passed permitting boys of the public schools to play ball in Central Park on Wednesdays and Saturdays of each week, under certain restrictions. Applicants must be sixteen certain restrictions. Applicants must be sixteen years of age or under, regular attendants at one of the public schools, and, before a permit is granted to them, they must present a certificate from the principal of the school to which they are attached, certifying to the lacts that they are pupils of good character, not over sixteen years of age and are not members of any of the disreputable clubs with which the city is injested.

## THE FIRE DEPARTMENT.

In the session of the Fire Commissioners yesterday Commissioner King offered a reso-fution providing for reductions in the cierical force, the money to be thus saved amounting to about \$15,000. The resolution was referred to the heads of the bureaus affected by such reduction, and it is likely will be considered on Wednessay next, in connection with reports from those officials.

## MUNICIPAL NOTES.

It is now well understood that the agony of our local politicians as to the appointment of a successor to Police Justice Sherwood will be settled Mr. P. G. Duffy, principal of Grammar School, No. 29, in Greenwich street, is said to be the lucky candidate. The Board of Aldermen hold their regular weekly meeting this afternoon, when Mayor Wickham will probably send in Mr. Duffy's name for confirmation, if no change is made in the programme. The gentleman is about thirty-five years of age, was born in Ireland and is a graduate of Columbia College Law School. He is a member of the Tammany Hall General Com-

is a member of the Tammany Hall General Committee of the First district. His appointment will gratify a large number of warm friends, sot only in the First ward, where he is best known, but in all parts of the city.

The sub-committee of the Tammany Hall Committee on Organization appointed to inquire into the reduction of laborers' wages have wansmitted a letter to each of the city departmentar requesting information as to the reasons for their action in this matter. A report from these gentlemen will probably be sent to the Committee on Organization at the meeting next Saturday.

The Legislative committee appointed to inquire into New York city criminal affairs will meet at the City Hall this afternoon. The investigation is likely to be an important one and may develop some peculiar transactions in the management of the Police Department and the judiciary.

Commissioner of Public Works Porter will send a communication to the Board of Adermen to-day on the labor question. He will probably give his reasons for acquiescing in the resolution authorizing a reduction of laborers' wages.

## CORONERS' CASES.

Jane Reynolds, fifty years of age, living at No. 215 East Forty-first street, was hanging clothes on a pully line attached to a fifth story window yes terday morning, when she lost her balance and fell to the pavement below, killing herself in stantly. Coroner Eickhoff has charge of the case. James Foselstick, of No. 314 West Thirty-seventh street, jell dead vesterday in the cabinet shop of perlita Brothers, No. 176 Elizabeta street. He is supposed to have had heart disease.

The body of an unknown man was found off pier No. 1, in the North River, yesterday morning. He

No. 1, in the North River, yesterday morning. He was about thirty-five years of age, had a full sandy beard and was foressed in a white shirt, linen coat, dark blue coat and boots.

Coroner Kessier concluded the inquiry yesterday in the case of Captain Whilam H. Brown, who, it will be remembered, committed suicide on the 4th instant at No. 21 West Twenty-sevents street by cutting his throat with a razor. No new lacts were elicited, as the Coroner very properly refused to make any inquiry is regard to the ring white was awallowed by the deceased just before his death, and which bore the inscription, "Be Satisfied," since it was none of his business, and would doubtless have compromised a number of very estimable people who afready sufficiently regret the unfortunate termination of a gallant man's life.

The inquest in the case of John Dagget and Heary Still, the two men who were bursed to death as the fire at No. 877 Seventh avenue some time ago, was concluded yesierday at the Coroners' office. The jury rendered a verdict of death from ap-phyxia, and exonerated the police and firement from all blame.